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TO: Examiner Robert Nasser - GAK 3735
 FIRM: USPTO
 FACSIMILE No.: 571-273-8300
 OUR REF.: MASIMO.381A
 APPLICATION No. 571-273-8300
 FROM: John M. Grover
 OPERATOR: Vicki Morrison
 DATE: July 19, 2007

NO. OF PAGES: 8 (incl. cover sheet)
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JUL 19 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/631,882
Applicant(s) : Christian Shulz et al.
Filed : July 31, 2003
Examiner : Robert L. Nasser
Title : Pulse Oximetry Ear Sensor
Group Art Unit: 3735
Customer No. : 20,995

Certificate Of Fax Transmission

I hereby certify that this correspondence and all marked attachments are being transmitted via facsimile to the USPTO Central Fax No. (571) 273-8300 on the date shown below:

July 19, 2007

(Date)

John M. Grover, Reg. No. 42,610

Mail Stop Amendment

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION DATED
APRIL 19, 2007**

Dear Sir:

In response to the Office Action of April 19, 2007 please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.